

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

HINDS COUNTY, MISSISSIPPI, on behalf of  
itself and all other similarly situated entities,

SUMMONS IN A CIVIL ACTION

V.

WACHOVIA BANK, N.A., et al.

CASE NUMBER:

08 CV 2516

TO: (Name and address of Defendant)

MERRILL LYNCH & CO., INC.  
4 World Financial Center  
250 Vesey Street  
New York, NY 10080

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

SERCARZ & RIOPELLE, LLP  
152 W. 57TH STREET  
NEW YORK, NY 10019

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

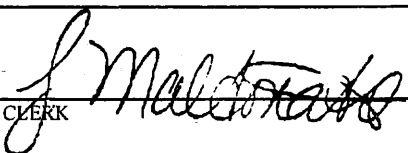
**J. MICHAEL McMAHON**

**MAR 13 2008**


CLERK

DATE

(By) DEPUTY CLERK



AO 440 (Rev. DC - September 2003) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	March 24, 2008 11:10 a.m.
NAME OF SERVER (PRINT) Jason Agee #1196790	TITLE	Private Procee Server
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"><input type="checkbox"/> Served personally upon the defendant. Place where served: _____</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____</div> <div style="margin-bottom: 10px;"><input type="checkbox"/> Returned unexecuted: _____</div> <div><input checked="" type="checkbox"/> Other (specify): by serving Desirae Wells, Assistant Vice-President, authorized to accept. Service was completed at 222 Broadway, New York, NY</div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"><div style="width: 30%;"><p>Executed on <u>3-25-08</u></p><p style="text-align: center;">Date</p></div><div style="width: 40%; text-align: center;"> <i>Signature of Server</i></div><div style="width: 30%; text-align: right;"><p>Jason Agee</p><p style="color: red; font-weight: bold;">Capitol Process Services, Inc. 1827 18th Street, NW Washington, DC 20009</p></div></div> <div style="text-align: center; margin-top: 20px;">_____ <i>Address of Server</i></div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
HINDS COUNTY, MISSISSIPPI, on behalf  
of itself and all other similarly situated  
entities,

Plaintiff(s),

CASE NO. 08 CV 2516

-against-

**AFFIDAVIT OF SERVICE**

WACHOVIA BANK, N.A., ET AL.,  
Defendant(s).


-----X  
STATE OF NEW YORK        )  
                                  s.s :  
COUNTY OF NEW YORK    )

JASON AGEE, being duly sworn, deposes and says that he is an agent of CAPITOL PROCESS SERVICES, INC., is over the age of eighteen years and is not a party to the action.

That on the 24th day of March, 2008, at approximately 11:10 a.m., deponent served a true copy of the **SUMMONS IN A CIVIL ACTION and CLASS ACTION COMPLAINT** upon Merrill Lynch & Co., Inc. at 222 Broadway, New York, New York by personally delivering and leaving the same with Desirae Wells, Assistant Vice-President, who is authorized by law to accept service.

Desirae Wells is a brown-skinned female, approximately 36 years of age, is approximately 5 feet and 3 inches tall, weighs approximately 115 pounds, with long black hair and dark eyes and was wearing glasses.

Sworn to before me this  
24th day of March, 2008

  
MICHAEL J. KEATING  
NOTARY PUBLIC, STATE OF NEW YORK  
Reg. No. 01-KE-4854559  
Qualified in New York County  
Commission expires February 3, 2010

  
JASON AGEE #1196790  
**Capitol Process Services, Inc.**  
1827 18th Street, N.W.  
Washington, D.C. 20009  
(202) 667-0050